

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUN 2 - 2010

'10 - CV - 01267 *BnB*

GREGORY C. LAM
CLERK

Civil Action No. _____
(The above civil action number must appear on all future papers sent to the court in this action. Failure to include this number may result in a delay in the consideration of your claims.)

RAUL HURTADO MARQUEZ, DOC #101144,

Plaintiff,

v.

BILL RITTER, JR., Governor,
ARISTEDES W. ZAVARAS, Executive Director,
SUSAN JONES, Warden,
LARRY REID, 2004 Warden,
HOLDITCH, Major,
HILDENBRAND, Major,
MEDINA, 2004 Major,
BILL OWENS, 2004 Governor,
JOE ORTIZ, 2004 Executive Director,
WILLIAMS, Capt.,
HECTOR HUERTAS, Capt.,
DALTON, Capt.,
LT. PACHECO,
LT. CHAVEZ,
SGT BINDER,
SGT. TRUJILLO,
ALL OFFICERS ON C.O.P.D. WRITE-UPS,
WILLIAM RICHTER, Chairman,
RUSS SCHRAF, Chaplain,
DR. STONER, Mental Health Dept.
ALL PERSONNEL EMPLOYEES INVOLVED IN MY LIFE'S PUBLIC RECORDS OF
C.D.O.C, C.S.P., ETC., IN STATE OF COLORADO,
ALL WITNESS [sic] IN STATE OF COLORADO DEPARTMENT OF CORRECTIONS,
and
ALL DEFENSE FACILITY PERSONNEL,

Defendants.

**ORDER DIRECTING CLERK TO COMMENCE CIVIL ACTION AND
DIRECTING PLAINTIFF TO CURE DEFICIENCY**

Plaintiff has submitted a "Motion Appoint Counsel for All Cases," a Prisoner Complaint and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has determined that the submitted documents are deficient as described in this order. Notwithstanding the deficiencies, the clerk of the court will be directed to commence a civil action. Plaintiff will be directed to cure the following if he wishes to pursue his claims. Any papers which the Plaintiff files in response to this order must include the civil action number on this order.

28 U.S.C. § 1915 Motion and Affidavit:

- (1) ___ is not submitted
- (2) ___ is missing affidavit
- (3) ___ is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (4) ___ is missing certificate showing current balance in prison account
- (5) ___ is missing required financial information
- (6) ___ is missing an original signature by the prisoner
- (7) X is not on proper form (must use the court's current form)
- (8) X names in caption do not match names in caption of complaint, petition or habeas application
- (9) ___ An original and a copy have not been received by the court. Only an original has been received.
- (10) ___ other:_____.

Complaint, Petition or Application:

- (11) ___ is not submitted
- (12) X is not on proper form (must use the court's current form)
- (13) ___ is missing an original signature by the prisoner
- (14) ___ is missing page nos. ___
- (15) ___ uses et al. instead of listing all parties in caption
- (16) ___ An original and a copy have not been received by the court. Only an original has been received.

- (17) ___ Sufficient copies to serve each defendant/respondent have not been received by the court.
- (18) X names in caption do not match names in text (**Section "A. Parties"**)
- (19) X other: **Addresses are not provided for all Defendants in Section "A. Parties."**

Accordingly, it is

ORDERED that the clerk of the court commence a civil action in this matter. It is

FURTHER ORDERED that the Plaintiff cure the deficiencies designated above **within thirty (30) days from the date of this order.** Any papers which the Plaintiff

files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that the clerk of the court mail to the Plaintiff, together with a copy of this order, two copies of the following forms: Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Prisoner Complaint.

It is

FURTHER ORDERED that, if the Plaintiff fails to cure the designated deficiencies **within thirty (30) days from the date of this order,** the complaint and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED at Denver, Colorado, this 28th day of May, 2010.

BY THE COURT:



BOYD N. BOLAND
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

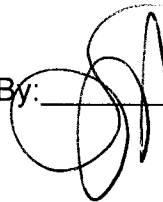
CERTIFICATE OF MAILING

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Raul Marquez
Prisoner No. 101144
Colorado State Penitentiary
P.O. Box 777
Cañon City, CO 81215- 0777

I hereby certify that I have mailed a copy of the **ORDER and two copies of the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. §1915 and Prisoner Complaint forms** to the above-named individuals on 6/2/10

GREGORY C. LANGHAM, CLERK

By:  _____
Deputy Clerk